

**SENATE CONCURRENT
RESOLUTION No. _____**

DIGEST OF INTRODUCED RESOLUTION

A CONCURRENT RESOLUTION urging President Obama and his Administration to recognize Indiana's position against accepting detainees from Guantánamo Bay, Cuba in light of the Executive Order closing the prison facility within a year of its signing on January 22, 2009.

**STUTZMAN, BUCK, YODER,
WALKER**

_____, read first time and referred to Committee on



Introduced

First Regular Session 116th General Assembly (2009)

SENATE CONCURRENT RESOLUTION No. _____

A CONCURRENT RESOLUTION urging President Obama and his Administration to recognize Indiana's position against accepting detainees from Guantánamo Bay, Cuba in light of the Executive Order closing the prison facility within a year of its signing on January 22, 2009.

Whereas, The Guantánamo Bay Detention Facility is a United States detention center operated by Joint Task Force Guantánamo since 2001 in Guantánamo Bay Naval Base, which is on the shore of Guantánamo Bay, Cuba;

Whereas, According to the United States Department of Defense, of the more than 240 prisoners currently in Guantánamo, about 100 are considered too dangerous to be released from U.S. custody; about 80 could face criminal charges in U.S. courts but could be freed if acquitted; and about 60 have been cleared for release — but cannot be sent home because their own countries would likely harm them;

Whereas, Detainees housed within the detention facility are considered extreme threats to national security. Security necessary to safely detain these individuals as well as deter attacks to free them require the concerted effort of the United States Army Military Police, United States Department of Homeland Security, and Navy Master-at-Arms;

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Whereas, By the authority of the Constitution and the laws of the United States of America, in order to effect the appropriate disposition of individuals currently detained by the Department of Defense at the Guantánamo Bay Naval Base, President Obama signed the Executive Order announcing the closure of the Guantánamo Detention Facility on January 22, 2009;

Whereas, By promptly closing the detention facility at Guantánamo, consistent with the national security and foreign policy interests of the United States and the interests of justice, President Obama established his Administration would not accept "a false choice between our safety and our ideals." With this Executive Order, the President suspended all ongoing military tribunals, and established the closure of the detention facility to take place within a year of the order's signing;

Whereas, The Secretary of Defense and the Secretary of State will effect the transfer or release of individuals consistent with the national security and foreign policy interests of the United States as established by the Executive Order; and

Whereas, For the safety of Indiana residents and to avoid making Indiana a target for future terrorist attacks, the Indiana General Assembly respectfully requests that those currently detained at Guantánamo Bay not be relocated to the Federal Correctional Complex in Terre Haute, Indiana or any future facility within the State; Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:



1 SECTION 1: That for the safety of Indiana residents and to
2 avoid making Indiana the target of future terrorist attacks, the
3 General Assembly hereby urges President Obama and his
4 Administration to recognize Indiana's request to refrain from
5 relocating detainees from Guantanamo Bay, Cuba to the Federal
6 Correctional Complex in Terre Haute as a result of the Executive
7 Order signed on January 22, 2009.

8 SECTION 2: That the General Assembly recognizes the
9 Federal Correctional Complex contains the United States
10 Penitentiary, the only federal penitentiary housing a death row. The
11 General Assembly does not object to Guantanamo detainees justly
12 tried, convicted and sentenced to execution being held in the Special
13 Confinement Unit of the United States Penitentiary.

14 SECTION 3: That the Secretary of the Senate transmit a
15 copy to the President of the United States, the Vice-President of the
16 United States, the U.S. Attorney General, the U.S. Secretary of
17 Defense, the U.S. Secretary of State, the U.S. Secretary of Homeland
18 Security, the U.S. Director of Homeland Security, Senator Evan
19 Bayh, Senator Richard G. Lugar, Representative Dan Burton,
20 Representative Steve Buyer, Representative André Carson,
21 Representative Joe Donnelly, Representative Brad Ellsworth,
22 Representative Baron Hill, Representative Mike Pence,
23 Representative Mike E. Souder, and Representative Peter Visclosky.

